



An infinite pity went out toward the old woman, bowed by sorrow. "He is your only child?" said the judge.

Extenuating Circumstances

By Maurice Level
Illustrated by W.T. Benda

IT was from the newspapers that Françoise learned that her son had been arrested.

At first she was unable to believe it; it was too monstrous.

Her lad, her little lad, so well-beloved, so shy, who just a month ago had spent his Easter leave with her; her son a thief and a murderer? . . . She seemed to see him standing before her again in his soldier's uniform, his round young face smiling and kind; she felt again on her wrinkled cheeks his hearty good-by kisses, and, filled with happy and peaceful memories of him, she shrugged her shoulders, repeating:

"Of course it's a mistake. It's someone else." Still, there it was, written with a big headline: "Crime of a Soldier." It had happened in his barracks, and his name was there in full.

Bewildered, she crouched in her chair, her spectacles pushed up on her forehead, her hands clasped, her mouth trembling as she talked to herself in the warm silence of the kitchen, her eyes looking vaguely at the old dog lying by the open door, at the tall clock whose slow tic-tac gravely marked the time.

Someone came in. She started violently, crying, "Who's there?" Recognizing a neighbor, and wishing to hide her agitation, she added:

"I was asleep . . . It's hot . . ."

Habitually reserved and silent, to-day she went on talking, talking, asking questions and making replies, fearing that she herself might be questioned. As she uttered her disjointed sentences, her one thought was:

"Does she know?" Unable at last to think of anything else to say, she relapsed into silence. With an odd expression, the neighbor said:

"Is it long since you had news of your son?"

"No . . . This morning."

She did not say how! But as she spoke there came to her an overwhelming desire to be reassured, to be comforted, to hear a voice echo her indignation: "It's a mistake! It's not my lad—how could it be? . . ."

She held out the paper, and trying to speak easily:

"Have you seen this? . . . Queer, isn't it?"

Her throat dry, the tears welling up in her eyes, she added:

"I was so stupid . . . When I saw it first it gave me quite a turn! . . . What a fool! . . ."

The neighbor still remained silent. She repeated:

"But it's strange, isn't it? . . . It's strange! . . ."

"Yes, it's odd there should be two of the same name in the same regiment."

WITH a great sigh of relief the old woman cried:

"That's just what I say! . . . That's it! . . . there are two of them . . . It's not mine! . . ."

"I don't know anything about that," answered the woman. "I'm only asking you . . . It's to be hoped there are . . . because if it is your lad . . . They are saying it was him that robbed the cooper . . . yes, the three hundred francs that were stolen when he was home at Easter."

The mother drew herself up stiffly, white as death.

"How dare they! . . . He never did it . . . never, never! . . . Aren't you ashamed of yourself? . . ."

What have we done to you that you put everything on

us? . . . My poor little lad! . . . Oh, but you shall all see! . . ."

And without shutting the door behind her, without even putting on her sabots, she hurried, almost running, to the railway station.

SHE arrived at the town just as it was striking seven.

In the train, instead of dimming, her fears had grown. She was no longer saying: "It is impossible!" but "Suppose it is true! . . ." The journey had seemed endless, with the villages and fields rushing past her, the telegraph poles rising and falling giddily like a swing. When the train stopped she began to tremble, almost feeling that the moment to know the truth had come too quickly. She was murmuring Paters and Aves, adding her own supplications to the prayers that came mechanically to her lips:

"O, kind Virgin, you could never have let such a thing happen, could you? . . . The beautiful prayers I shall say to you presently! . . ."

Behind the iron gate the courtyard of the barracks stretched white in front of the square buildings. Soldiers were sitting on the steps, chatting in the evening calm. Her boy had taught her the different ranks. She stopped, saying timidly:

"Excuse me, Monsieur le Sergent, I want to ask you something. I want to know . . ."

She hesitated, not daring to show her fear.

"It's this. It's about my son . . . Jules Michon of the 3rd Compagnie . . . I want to know if . . . if I can see him? . . ."

She tried to smile.

"I am his mother . . . his mother . . . No? But why? . . . Where is he? . . . Is he ill? . . . Then why can't I? . . . Yes, I know . . . No, I don't know . . . He has been . . ."

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Extenuating Circumstances

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arrested... At the police station? ... No? ... In—in prison ... you say? ... He is to be tried by court-martial? ... She hid her face in her hands: Holy Virgin, it was true then! Holy Virgin! ...

STAGGERING, she turned away. At the military prison she learned that her son was in solitary confinement, and the word "solitary" increased her terror. She imagined him alone, forever shut away from everyone, fastened in. They told her to go and see a lawyer, and with the same unsteady steps she went and found a lawyer. From him she learned the exact state of affairs. There was no possible doubt about it. Her boy had killed someone to rob them; they had found the money—nearly six hundred francs—in his mattress. He had confessed.

After much weeping and useless begging to be allowed to see him, she went back to the village. Everyone knew. Shaking from what they might say to her, dreading their looks, she did not go home till midnight. Like a poor animal who fears blows and hides itself, she dare no longer go out, keeping her shutters closed, trembling as she lifted the paper that was pushed under the door every morning.

From it she learned not only all the details of the crime, but that her son was accused of something else. All the evidence seemed to prove that it really was he who had robbed the cooper. But that—never! She would swear it was not true! ... But eventually she began to have doubts about even that.

At the end of a month she went back to the lawyer. She no longer asked to see her son. Not, great God, that she had ceased to love him! ... She was ashamed. ... "What will they do with him, Monsieur? You won't let them take him from me ..."

"My poor woman, I am very much afraid they will ... If only I could find some extenuating circumstance ..."

"What's that? A circumstance ... what does it mean?"

"It means something that will lessen the crime in the eyes of the judge. Here is an example—a man steals; if it can be proved that he did it because he was in great poverty, because his children were starving, that would be an extenuating circumstance. In this case there's nothing of the kind. It's not even his first offense. That other robbery—he denies it—but—well, well, I will do everything that can possibly be done."

FRANCOISE went home wearier and more heartbroken than ever, her mind tortured by those new words: "Extenuating circumstances." How, where, could she find some excuse that would move the judges to clemency? ... There was none. She could see nothing but the crime: nothing could lessen its horror.

The day of the trial came. She set out again, the last step in the ascent of her Calvary. In the train she prayed, invoking all the saints, while through her empty brain there resounded the words, so often repeated: "Extenuating circumstances ... Extenuating circumstances ..."

She waited in the dark, gloomy room with the witnesses who lowered their voices because of her presence. When her turn came she walked into the box with faltering steps, her eyelids blinking in the clear light, and in a moment her eyes were on her boy, who bowed his head over a handkerchief with big blue squares, and burst into short, sharp sobs. ... She drew herself

up stiffly and faced the officer who presided as judge.

She herself had asked to go into the witness-box. Standing there, she wondered vaguely why she had insisted. She knew nothing at all about it; she had nothing to say. Why was she there? ... For no reason at all except that she was his mother. Was it not she who had borne him ... nursed him ... caressed him ... brought him up? ... Was he not hers, her very own? ... But no, not now; to-day he did not belong to her.

To all the questions she replied by signs or unintelligible words. There was dense silence in the court. An infinite pity went out toward the old black-robed peasant woman, bowed by sorrow.

"He is your only child?" said the judge.

"Yes, Monsieur."

"Did you have anything to complain of when he lived with you?"

"Oh no, Monsieur, never!"

"Had he any bad companions?"

"Never. His father, who was liked and respected by everyone, would not have allowed it ... Neither would I ... We were very highly thought of ..."

"We know ... we know ..."

THEN turning to the prisoner:

"You knew it, too, and that is why, screening yourself behind the good reputation of your parents, you took advantage of your stay with your mother to commit a robbery ... How could anyone suspect the son of such honest people? ... Others may be able to say: 'I am not wholly responsible.'"

I lived with people who set me a bad example. You, you have no such excuse."

At this the old woman seemed to make a violent effort. A strange light shone under the tear-swollen lids of her small eyes and, her head bowed, without a gesture, in a voice that was almost steady, she spoke.

"Forgive me, Monsieur. I see I must tell you the truth. My poor lad is guilty of much, very guilty ... But he is not the only one ... I told you just now I had nothing to reproach myself with ... I lied. That 300 francs of the cooper's, it was I who stole them, me ... When my Jules came home at Easter I told him I had done it ... It frightened him, poor lad ... he is very young ... he saw his mother might lose her honor and her reputation ... and it was to get the money back and stop my being arrested that he stole that other money ... He was interrupted. ... He lost his head ... and he struck the blow without knowing what he did."

SHE was silent for a moment, out of breath; then went on in a lower tone:

"I lied ... I am a wicked woman. It was I who set him the bad example ... It is I you must arrest ... Is that an extenuating circumstance for him? ... Forgive me, Monsieur ..."

More bowed than ever, the shoulders drooping, the head lower, she seemed to shrink to nothing ...

... The son escaped with hard labor for life. Soon afterward she died, scorned by all the village. They said a hasty mass for her and laid her in a remote part of the graveyard, a corner where even on the sunniest days the shadow of church or belfry does not reach.

THIS story was told me at her grave, which had nothing to ornament it but a cross of weatherbeaten black wood and a single wreath of rusty beads, twisted and broken, on which, however, I could distinguish the words:

"To Françoise Michon. From the judge who tried her son."

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